UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,911	10/21/2003	Tae-jung Yoon	1349.1301	3775

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/688,911	YOON, TAE-JUNG
	Examiner	Art Unit
	CHAD DICKERSON	2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 May 2008</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.
    4a) Of the above claim(s) <u>11</u> is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-10 and 12-16</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>21 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20080923

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 14, 16-20 have been considered but are moot in view of the new ground(s) of rejection. The amendment to the claims has necessitated a new ground(s) of rejection. However, the reference of Tsukamoto '033 still applies to the amended claim language and the Examiner would like to address some of the Applicant's assertions in the paragraphs below.

One of the assertions made by the Applicant is that since the Tsukamoto reference contains two slots instead of the claimed one slot, the reference is in a different field of invention. The Examiner would like to note that the question of not whether a reference is analogous art is not relevant to whether the reference anticipates the claimed invention. Assuming arguendo, the invention of Tsukamoto could be in a different field of invention or may be directed to an entirely different problem, yet it still may explicitly or inherently anticipate every claim limitation in the claimed invention. With the above statement, the Examiner still believes that the reference of Tsukamoto still discloses the claim limitations in Applicant's invention.

With the above mentioned statement, the Examiner would like to note the paragraph [0115] in the reference of Tsukamoto. The statement in the paragraph that is important states that the operation of this embodiment is performed in accordance with the program previously stored in the ROM (102). In the third embodiment, the facsimile system utilizes cards in the card slots to perform some feature. These cards store programs that are related to the function a companion card is introducing, or as

mentioned in Applicant's statements in an earlier fax interview request on April 2, 2008,

that the system uses a single card slot that can perform the above feature (see

paragraph [0183]). The feature mentioned performs the feature of having a program in

ROM instruct the CPU to employ a program stored in a card in a card slot to perform an

associated feature. This feature may include using program code of the substitute

modem to perform communications with the modem card replacing the modem in the

facsimile. Here, the communication system has to use the program code of the ROM to

perform the feature of using the program in the modem cards to perform the feature of

communicating with a modem. Another example is when the facsimile or image

processing apparatus uses the program IC card that stores the program for the

communication procedure with the digital cellular unit. In this example, the program of

the CPU in the ROM instructs the CPU to utilize the program in the IC card to use the

function associated with the card. In both examples listed above, the Examiner believes

that the ROM program utilizing other programs to perform different functions with the

communication device is analogous to the execution file being connected to the main

program. In the case of Tsukamoto, the program in the ROM is considered as the main

program and it employs, or connects with, the program in a respective inserted card

storing a program to perform an associated function (see paragraphs [0029], [0077]-

[0079], [0095] and [0115]-[0136]).

Therefore, in light of the above arguments, the Examiner believes the Tsukamoto

reference still discloses the claimed limitations and maintains the rejection below.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 14 and 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by

Tsukamoto '033 (US Pub No 2002/0048033).

Re claim 14: Tsukamoto '033 discloses a method of controlling an image processing

apparatus, the method comprising:

removable receiving a portable storage unit in a host unit (i.e. there are a plurality

of card slots (121 and 122), considered as host units in Tsukamoto '033 that are able to

receive memory cards in the system. The memory cards in the system can be

considered as portable storage units since they can be taken in and out of the printing

apparatus's card slots in figure 26; see figs. 3, 17, 20, 26-28, 31-42; paragraphs [0172]);

determining whether the portable storage unit includes an execution file or an

image data file (i.e. in the system, a card storing data, which can be image data or a

program, can be used. The program relating to the CPU (101) that reads the card can

distribute whether the card contains a program to execute a function or data that is

simply exchanged between the memory card and RAM (103). The program IC card and

interface card can be considered as a memory card since they both either to a function

to be realized by a printer or the software to perform the function; see figs. 26-28, 31-42;

paragraphs [0030] and [0115]-[0134]); and

executing a function of the image processing apparatus corresponding to the execution file stored in the portable storage unit, if the portable storage unit stores the execution file (i.e. different cards that store different functions can be used to expand the apparatus in the system. A program IC card can store a program to be used in conjunction with a card that introduces the actual feature to realize the other cards functionality. Also, a card can be placed in the card slot and the program on the card can be read to perform the function on the card. Lastly, the interface card can be installed in an apparatus to realize an additional function on the printer introduce by the interface card; see figs. 26-28, 31-42; paragraphs [0030] and [0115]-[0134]),

wherein the execution file includes a plug-in program (i.e. the program IC card (1603) associated with the additional function card (1602) stores a program, analogous to a plug-in program, that functions as a device driver in the system to execute the additional function on the facsimile device. The CPU (101) of the body executes the program of the program IC card (1603) in order to execute the type of additional function introduced by the additional function card (1602); see figs. 26-28, 31-42; paragraphs [0141]-[0187]).

Re claim 16: Tsukamoto '033 discloses the method of claim 14, further comprising:

recognizing the portable storage unit as a general storage medium when the portable storage unit includes no execution file or the function for the image processing apparatus is not executed (i.e. card insertion is detected by the system. The data on the card is then detected by the system. The CPU (101) executes pre-determined

software to process the card and transmits/receives data from the memory (601) from

the card to the RAM (103). The card is recognized as a general storage device when a

program is not found to be executed by the CPU (101) and simple data is transferred to

the RAM (103) in the system; see paragraphs [0030]-[0047] and [0115]-[0134]).

Re claim 17: Tsukamoto '033 discloses the method of claim 14, wherein the execution

file is connected to a main program (i.e. in the system, Tsukamoto '033 discloses having

the operation of the communication apparatus, or image processing apparatus,

performed in accordance with a program previously stored in the ROM (102). With

different functions being performed that are associated with the inserted cards, the

program in the ROM is used to perform or implement the programs that are on the

program cards inserted in the card slots that are operated on the communication

apparatus, or image processing apparatus, to perform some function. Since the

program in the ROM instructs the CPU to utilize a program in the interface cards to

perform a feature on the apparatus, the implementation of the program by the CPU is

considered analogous to the connection between a main program and a file for

executing a function since the program in the ROM orders the gathering of the program

on a inserted card and the ROM uses the program to perform functions through the

CPU in the apparatus, which in turn orders functions of the body apparatus to perform a

specific feature; see paragraphs [0015]-[01356]), and is executed in the image

processing apparatus (i.e. the features that are associated with the programs on the

inserted cards are utilized by the program stored in the ROM in the body apparatus to

execute the associated function on the apparatus; see paragraphs [0015]-[01356]).

Re claim 18: Tsukamoto '033 discloses an image processing apparatus having at least

one host unit removably receiving a portable storage unit for storing one of image data

and an execution file (i.e. the system contains at least one card slot that is able to

receive a card in a removable manner that may be able to store a program or data to be

transferred to the ROM of the body apparatus; see paragraphs [0111] and [0127]), the

apparatus comprising:

a detection unit detecting whether the portable storage unit is connected to the

host unit (i.e. in the system, detecting whether a card that stores information relating to

a program that executes a function is performed by Tsukamoto '033. The system

checks to see if a certain card is presently in the card slot in the system; see figs. 3, 17

and 20; paragraphs [0044]-[0050], [0096] and [0097]), and determining whether the

portable storage unit includes an execution file or an image data file when detecting the

portable storage unit is connected to the host unit (i.e. in the system, a card storing

data, which can be image data or a program, can be used. The program relating to the

CPU (101) that reads the card can distribute whether the card contains a program to

execute a function or data that is simply exchanged between the memory card and

RAM (103). The program IC card and interface card can be considered as a memory

card since they both either to a function to be realized by a printer or the software to

perform the function; see figs. 26-28, 31-42; paragraphs [0030] and [0115]-[0134]);

a control unit executing a function of the image processing apparatus

corresponding to the execution file stored in the portable storage unit, if the detection

unit detects the execution file in the portable storage unit (i.e. different cards that store

different functions can be used to expand the apparatus in the system. A program IC

card can store a program to be used in conjunction with a card that introduces the

actual feature to realize the other cards functionality. Also, a card can be placed in the

card slot and the program on the card can be read to perform the function on the card.

Lastly, the interface card can be installed in an apparatus to realize an additional

function on the printer introduce by the interface card; see figs. 26-28, 31-42;

paragraphs [0030] and [0115]-[0134]),

wherein the execution file includes a plug-in program (i.e. the program IC card

(1603) associated with the additional function card (1602) stores a program, analogous

to a plug-in program, that functions as a device driver in the system to execute the

additional function on the facsimile device. The CPU (101) of the body executes the

program of the program IC card (1603) in order to execute the type of additional

function introduced by the additional function card (1602); see figs. 26-28, 31-42;

paragraphs [0141]-[0187]).

Re claim 19: Tsukamoto '033 discloses the image forming apparatus of claim 18,

wherein if the function of the image processing apparatus is not executed, or the

portable storage unit does not store the execution file, the control unit recognizes the

portable storage unit as a general storage medium (i.e. card insertion is detected by the

system. The data on the card is then detected by the system. The CPU (101) executes

pre-determined software to process the card and transmits/receives data from the

memory (601) from the card to the RAM (103). The card is recognized as a general

storage device when a program is not found to be executed by the CPU (101) and

simple data is transferred to the RAM (103) in the system; see paragraphs [0030]-[0047]

and [0115]-[0134]).

Re claim 20: Tsukamoto '033 discloses the image forming apparatus of claim 18,

wherein the plug-in program is connected to a main program (i.e. in the system,

Tsukamoto '033 discloses having the operation of the communication apparatus, or

image processing apparatus, performed in accordance with a program previously stored

in the ROM (102). With different functions being performed that are associated with the

inserted cards, the program in the ROM is used to perform or implement the programs

that are on the program cards inserted in the card slots that are operated on the

communication apparatus, or image processing apparatus, to perform some function.

Since the program in the ROM instructs the CPU to utilize a program in the interface

cards to perform a feature on the apparatus, the implementation of the program by the

CPU is considered analogous to the connection between a main program and a file for

executing a function since the program in the ROM orders the gathering of the program

on a inserted card and the ROM uses the program to perform functions through the

CPU in the apparatus, which in turn orders functions of the body apparatus to perform a

specific feature; see paragraphs [0015]-[01356]), and is executed in the image

processing apparatus (i.e. the features that are associated with the programs on the

inserted cards are utilized by the program stored in the ROM in the body apparatus to

execute the associated function on the apparatus; see paragraphs [0015]-[01356]).

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

5.   Suzuki '288 (US Pat No 5027288) discloses systems in which a recording

apparatus can have various recording functions altered and add various other functions

using a portable storage means such as an IC card.

6.   Murata '067 (US Pat No 6330067) discloses a digital copying machine that has a

card slot that is able to determine if a card is present in the card slot and the type of

information present on the card to be download onto the copying machine and

processed in the digital device.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CHAD DICKERSON whose telephone number is

(571)270-1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30

Fri. 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Twyler Haskins can be reached on (571)-272-7406. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D./
/Chad Dickerson/
Examiner, Art Unit 2625

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625